UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

AKAMAI TECHNOLOGIES, INC., and MASSACHUSETTS INSTITUTE OF TECHNOLOGY,)))
Plaintiffs,)
VS.	CIVIL ACTION NO. 10-11921-GAO
COTENDO, INC.,))
Defendant.)))
COTENDO, INC.,	
Counterclaim Plaintiff,)
VS.	
AKAMAI TECHNOLOGIES, INC., and MASSACHUSETTS INSTITUTE OF TECHNOLOGY,))))
Counterclaim Defendants.)))

JOINT MOTION TO VACATE SCHEDULING ORDER AND STAY LITIGATION

On December 22, 2011, Plaintiff Akamai Technologies, Inc. ("Akamai") and Defendant Cotendo, Inc. ("Cotendo") announced that they have signed a definitive agreement pursuant to which Akamai is to acquire Cotendo in a merger transaction ("the Agreement"). The closing of the transaction is subject to certain conditions, including regulatory approval, and is expected to occur in the first half of 2012.

Pursuant to the terms of the Agreement, the parties seek to stay this litigation pending the closing of the transaction. Accordingly, the parties jointly request that the Court: (1) vacate the current scheduling order, which was last amended on December 12, 2011; (2) cancel the next status conference, which is currently set for February 6, 2012; and (3) stay all activity in the case for 90 days while the parties seek to close the transaction.

The parties will notify the Court immediately upon either the closing of the transaction or the termination of the transaction. At that time, the parties will either seek to dismiss the case (upon closing of the transaction) or seek to set a new case schedule (should the transaction be terminated).

Plaintiff Massachusetts Institute of Technology ("MIT") consents to this motion.

Respectfully submitted,

AKAMAI TECHNOLOGIES, INC. and MASSACHUSETTS INSTITUTE OF TECHNOLOGY.

COTENDO, INC.

By their attorneys,

/s/ Andrew J. Danford

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Dated: December 23, 2011 Attorneys for Cotendo, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document filed through the ECF system will be sent electronically to the registered participants as identified in the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as nonregistered participants on December 23, 2011.

/s/ Andrew J. Danford Andrew J. Danford

Dated: December 23, 2011